

REMARKS

Claims 20-24, 27, and 29-35 remain in the present application of which claim 20 is the only independent claim. Claim 20 has been amended to more clearly point out and claim the subject matter of the present invention. No new matter has been added. The amendments to claim 20 find support in at least figure 3 and the specification as originally filed. The present invention is directed to a metallization insulating structure having a bottom of the line and an upper portion of the via contacted by a fluorine containing insulating layer.

Claims 20-24, 27 and 29 stand rejected pursuant to 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,420,261 to Kudo ("Kudo"), U.S. Patent No. 6,307,265 to Anand et al. ("Anand"), and U.S. Patent No. 6,326,301 to Venkatesan et al ("Venkatesan"). As amended, independent claim 20 requires that a metal structure with a line and a via, the bottom of the line and a upper portion of the via contacted by the fluorine containing insulating layer. None of the references cited discloses a bottom of the line contacted by a fluorine containing layer. Claim 20, as presently amended, also requires an upper portion of the via contacted by the second layer. None of the references cited discloses such further limitation. For this further reason, none of the cited references reads on independent claim 20, as presently amended. Therefore, Applicants respectfully request the withdrawal of the 35 U.S.C. § 102(e) rejections applied against claims 20-24, 27, and 29.

New claim 30 requires a middle portion of the via contacted by the first layer. New claim 31 requires a lower portion of the via contacted by either the first layer or a capping layer. New claim 32 requires the height of the line to be less than the height of

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the second layer hf, while new claim 33 requires the height of the via to be greater than the height of the first layer hi. New claim 34 requires that the height of the metal structure be equivalent to the height of the line hl plus the height of the via hv, and new claim 35 requires that the height of the first layer hi is substantially less than the height of the via hv. Support for new claims 30-35 can be found throughout the specification, but in particular on page 8, lines 2-page 9, line 18 and Figure 3 of the specification as originally filed.

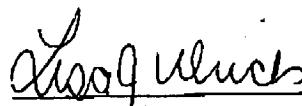
Claims 21-35 are allowable by virtue of their dependence on an allowable base claim, namely, independent claim 20.

For the foregoing reasons, it is respectfully submitted that the present application is in condition for allowance.

Reconsideration and allowance of claims 20-35 is respectfully requested.

Respectfully Submitted,

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